

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

ANTONIO L. BURNS,	)	
	)	
Plaintiff,	)	
	)	Case No. 1:10-CV-42
v.	)	
	)	Chief Judge Curtis L. Collier
MICHAEL J. ASTRUE,	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	

**J U D G M E N T   O R D E R**

Plaintiff Antonio L. Burns (“Plaintiff”) brought this action on February 26, 2010, seeking judicial review of the final decision of the Commissioner of Social Security (“Commissioner”) denying Plaintiff disability and social security income (“SSI”) benefits. The Court referred the matter to United States Magistrate Judge Susan K. Lee, pursuant to 28 U.S.C. § 636(b) and in accordance with Rule 72(b) of the Federal Rules of Civil Procedure for a report and recommendation (“R&R”) regarding the disposition of Plaintiff’s motion for summary judgment (Court File No. 22) and Defendant’s motion for summary judgment (Court File No. 24).<sup>1</sup> The magistrate judge filed an R&R (Court File No. 26) recommending Plaintiff’s motion for summary judgment be denied, the Commissioner’s motion for summary judgment be granted (Court File No. 24), and the Commissioner’s decision to deny Plaintiff disability and SSI benefits be affirmed. Plaintiff timely objected to the R&R (Court File No. 27), and the Commissioner responded (Court File No. 30). For the reasons discussed in the accompanying memorandum, the Court **ACCEPTS** and **ADOPTS** the magistrate judge’s R&R, **DENIES** Plaintiff’s summary judgment motion denied (Court File No. 22),

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<sup>1</sup> Neither Plaintiff nor the Commissioner filed response briefs to these summary judgment motions.

**GRANTS** the Commissioner's motion for summary judgment (Court File No. 24), **AFFIRMS** the Commissioner's decision to deny Plaintiff disability and SSI benefits, and **DISMISSES** the case. As no further matters remain for adjudication, the Court **DIRECTS** the Clerk of Court to **CLOSE** the case.

**SO ORDERED.**

**ENTER.**

/s/  
**CURTIS L. COLLIER**  
**CHIEF UNITED STATES DISTRICT JUDGE**

ENTERED AS A JUDGMENT  
s/ Debra C. Poplin  
CLERK OF COURT